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REASONS WHY REP. CHARLES B. RANGEL SHOULD **NOT** RECEIVE CENSURE

1

- Rep. Rangel has not been convicted with any crime. In the past, the **Ethics Committee has recommended a reprimand** in matters where a Member has failed to submit accurate Financial Disclosure statements, or intentionally failed to disclose gift or donations, or if his conduct involved an actual conflict of interest or corruption.

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- By contrast, **Rep. Rangel is being censured** for his failure to follow the Committee's instructions related to solicitations on behalf of a public university located in his congressional district, failure to adequately review financial records, which led to omitting required information on his Financial Disclosure statements and under reporting income on his federal tax returns in numerous years, and his improper use of rent-stabilized apartment for campaign activities.

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- **Rep. Rangel's violations were not fraudulent** . By contrast, Rep. Charles Diggs (1979) was convicted of a crime and was censured for 11 counts of mail fraud and 18 counts of false payroll statements that involved a payroll kickback scheme of \$66,000.

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- **Rep. Rangel did not take bribes**. By contrast, Rep. Charles Wilson (1980) was censured for concealing a \$1000 wedding gift from a foreign government (Koreagate) and appropriating campaign funds for personal use.

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- **Rep. Rangel's violations did not involve sexual misconducts that warrant censure**. Rep. Gerry Studds (1983) and Rep. Daniel Crane III (1983) were censured for their relationships with 17-year-old male and female House pages, respectively.

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- **Rep. Rangel was transparent with the Committee**. Rep. Newt Gingrich (1997) was reprimanded although he made 13 false statements about his misuse of tax-exempt entities to fund a partisan college course, "Renewing American Civilization" (he was fined \$300,000 by the Committee). By contrast, Rep. Rangel had himself initiated the Ethics investigation and hired a forensic accountant.

7

- **Rep. Rangel did not divert official resources for personal use.** Rep. Austin Murphy (1978) was reprimanded for improperly diverting government resources (\$30,000 for secretary and \$20,000 in photocopying) to his personal law firm whereas Rep. Rangel used the wrong letterhead to solicit funds for the Rangel Center at CCNY.

8

- **Rep. Rangel's violations did not involve personal financial gain.** Rep. George Hansen (1984) was reprimanded although he neglected to report nearly \$334,000 in loans and profits (1979-81) which he diverted for his personal use, including a \$61,000 loan from Texas billionaire Nelson Bunker Hunt to his wife.

9

- **Rep. Rangel did not have personal financial interest.** Rep. Robert Sikes (1976), as chairman of the Military Appropriations sub-committee, oversaw \$3.5 billion a year for construction projects, yet he was reprimanded for failing to report ownership of stock in military contractor Fairchild Industries and 2500 shares in the First Navy Bank, a major defense contractor. He also sponsored legislation to remove restrictions on Santa Rosa island without disclosing his property interest. The Bob Sikes Bridge, which connects Gulf Breeze to Santa Rosa Island, is named after him.

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- **Rep. Rangel never lied under oath.** Rep. Edward Roybal (1978) originally was censured for failing to report \$1000 in campaign contributions (which he appropriated for personal use) from a South Korean lobbyist. He also lied under oath to the Committee about the contribution, yet his censure was reduced to a reprimand by a full House vote.

Precedents show that Rep. Rangel’s violations do NOT warrant a censure.

Members sanctioned since the establishment of the Ethics Committee in 1967

Precedents

REPRIMANDED

REP. ROBERT L.F. SIKES (1976)

- Chairman of the House Appropriations Subcommittee on Military Construction failed to disclose stock holdings in a defense contractor and a bank on a naval base

REP. EDWARD J. ROYBAL (1978)

- Appropriated campaign funds for personal use
- Failed to report campaign contribution from lobbyist
- Made false statement to the Committee

REP. GEORGE V. HANSEN (1984) – *reduced from censure*

- Convicted of 4 counts of making false statements
- Failed to report nearly \$334,000 in loans/profits (1978-81)

REP. AUSTIN J. MURPHY (1987)

- Improperly used official resources for personal use (\$50,000 for secretary and photocopying)
- Had an undisclosed person vote for him while out of DC

REP. BARNEY FRANK (1990)

- Personal residence was used for prostitution by a third party
- Improperly dismissed assistant’s 33 parking tickets
- Sexual activity in the House gymnasium

REP. NEWT GINGRICH (1997)

- Made 13 false statements to Committee on Standards
- Improper use of tax-exempt entities to fund a partisan course
- Improper use of official resources in preparation of the course
- Used unofficial resources for official purposes

CENSURED

REP. CHARLES C. DIGGS JR. (1979)

- Convicted of 11 counts in criminal court of mail fraud
- 18 counts of false statements on his payroll forms
- Payroll fraud that involved raising 3 of his employees' income, then having them kick back \$66,000 to him

REP. CHARLES H. WILSON (1980)

- Paid staff not performing duties commensurate with pay
- Appropriated campaign funds for personal use
- Took gifts (\$1000) and remunerations from foreign government
- Improperly used campaign funds for personal use
- Made false statements to the Committee

REP. GERRY STUDDS (1983)

- Sexual relationship with 17-year-old male House page

REP. DANIEL CRANE III (1983)

- Sexual relationship with 17-year-old female House page